

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

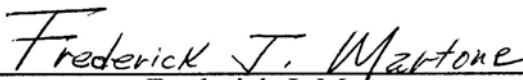
Martha Rodriguez,	)	No. CV-09-1853-PHX-FJM
	)	
Plaintiff,	)	<b>ORDER</b>
	)	
vs.	)	
	)	
Quality Loan Service Corp., et al.,	)	
	)	
Defendants.	)	
	)	

The court has before it defendants Midfirst Bank and Midland Mortgage Company's motion to dismiss or, alternatively, motion for summary judgment (doc. 17). When plaintiff failed to timely respond, defendants filed a motion for summary disposition (doc. 20). Plaintiff's counsel now moves for an extension of time to file a response to the motion to dismiss (doc. 21), attesting that he did not receive either motion. Defendants object to the extension (doc. 22). While it is difficult to understand why counsel did not receive the motions when the court docket confirms they were delivered to his correct email address, we nevertheless grant plaintiff's motion for extension in the interest of deciding the motion to dismiss on its merits.

**IT IS ORDERED DENYING** defendants' motion for summary disposition (doc. 20), and **GRANTING** plaintiff's motion for an extension of time to file a response to the motion to dismiss (doc. 21). Plaintiff shall have until January 6, 2010, to file his response to the

1 motion to dismiss. Plaintiff's counsel is cautioned that no further extensions of time or  
2 exceptions to the rules will be granted.

3 DATED this 29<sup>th</sup> day of December, 2009.

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8 Frederick J. Martone  
9 United States District Judge  
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